

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MEGAN KASZHA YELLOW OWL,

Defendant.

CR-22-14-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on June 6, 2023. (Doc. 60.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on June 6, 2023. (Doc. 60.) The United States accused Megan Yellow Owl (Yellow Owl) of violating her conditions of supervised release 1) by failing to report for substance abuse

treatment; and 2) by failing to notify her probation officer of a change in residence. (Doc. 54.)

At the revocation hearing, Yellow Owl admitted to violating the conditions of her supervised release 1) by failing to report for substance abuse treatment; and 2) by failing to notify her probation officer of a change in residence. (Doc. 56.) Judge Johnston found that the violations that Yellow Owl admitted proved to be serious and warranted revocation, and recommended that she receive a custodial sentence of 3 months, followed by 21 months of supervised release with the first 60 days of supervised release in a secure inpatient drug treatment facility. She should serve the next 180 days of supervised release in a residential re-entry center as directed by her probation officer. (Doc. 60.) Yellow Owl was advised of her right to appeal and her right to allocute before the undersigned and waived those rights. (Doc. 56.) The violations prove serious and warrant revocation of Yellow Owl's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 60) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Megan Kaszha Yellow Owl be sentenced to the custody of the United States Bureau of Prisons for 3 months, followed by 21 months of supervised release with the first 60 days of supervised release in a secure inpatient

drug treatment facility. She should serve the next 180 days of supervised release in a residential re-entry center as directed by her probation officer.

DATED this 8th day of June, 2023.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court